

# HB3095



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

HB3095

Introduced 2/19/2021, by Rep. Sonya M. Harper

#### SYNOPSIS AS INTRODUCED:

New Act

Creates the Delivery Service Regulation Act. Limits fees that third-party delivery services may charge with respect to deliveries from restaurants and grocery stores. Requires a discount of fees for grocery deliveries in food deserts. Provides for the Department of Financial and Professional Regulation to conduct a study on the provision of services, including transportation services, and fees of third-party delivery services. Defines terms.

LRB102 15177 JLS 20532 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning business.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the  
5 Delivery Service Regulation Act.

6 Section 5. Definitions. In this Act:

7 "Delivery fee" means a fee charged by a third-party  
8 delivery service for providing a food dispensing establishment  
9 with a service that delivers food and beverages from the  
10 establishment to customers or charged for delivery from a  
11 grocery store.

12 "Food desert" means an urban area in which it is difficult  
13 to buy affordable or good quality fresh food.

14 "Food dispensing establishment" means any fixed location  
15 where food or drink is routinely prepared and served or  
16 provided for the public for consumption on or off the premises  
17 with or without charge. Such establishments include, but are  
18 not limited to, restaurants, coffee shops, cafeterias, short  
19 order cafes, luncheonettes, grills, tearooms, sandwich shops,  
20 soda fountains, taverns, bars, cocktail lounges, nightclubs,  
21 industrial feeding establishments, take-out establishments,  
22 private institutions or organizations routinely serving food,  
23 catering kitchens, commissaries, or any other eating or

1 drinking establishment or operation.

2 "Grocery store" means a business engaged in the sale of  
3 food, beverages and other goods usually used in a home.

4 "Third-party delivery service" means any website, mobile  
5 application, or other Internet service that offers or arranges  
6 for the provision of transportation services or that arranges  
7 for the sale of food and beverages prepared by, and the  
8 delivery or pick-up of food and beverages from, food  
9 dispensing establishments or grocery stores that are each  
10 owned and operated by different persons.

11 Section 10. Delivery service fees limited.

12 (a) A third-party delivery service may not charge a fee to  
13 a food dispensing establishment or grocery store in excess of  
14 15% of the cost of the item being delivered.

15 (b) Fees imposed by a third-party delivery service upon  
16 consumers must be equitable and may not discriminate against  
17 consumers based on race, gender, sexual orientation, national  
18 origin, ethnicity, or socioeconomic status.

19 (c) A third-party delivery service must provide a discount  
20 of 25% from its usual and customary fee charged for delivery of  
21 groceries to a consumer located in a food desert.

22 Section 15. Fee disparity study. The Department of  
23 Financial and Professional Regulation shall perform a  
24 disparity study on the provision of transportation services

1 and on the fees charged by third-party delivery services. The  
2 study shall be designed to ascertain whether there is a  
3 disparity in the fees charged by zip code, race, gender,  
4 sexual orientation, national origin, ethnicity, or  
5 socioeconomic status.